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ELECTION UNDER 35 U.S.C. § 121
Examining Group 1634
Patent Application
Docket No. GJE-78
Serial No. 09/937,784

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Arun K. Chakrabarti
Art Unit : 1634
Applicant : Daniel Henry Densham
Serial No. : 09/937,784
Filed : September 28, 2001
For : Polynucleotide Sequencing Using a Helicase

Assistant Commissioner for Patents
Washington, D.C. 20231

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ELECTION UNDER 35 U.S.C. § 121

In response to the written restriction requirement dated December 23, 2002, the applicant hereby elects with traverse to prosecute the Group I claims, *e.g.*, claims 7-20, drawn to a method for sequencing polynucleotides.

The applicant respectfully submits that there is unity of invention among the claims in the subject application. As the Examiner is aware, under PCT Rule 13.1, there is unity of invention if a group of inventions in an application are so linked as to form a single general inventive concept. PCT Rule 13.2 states that unity of invention exists where there is a technical relationship among the claimed inventions involving one or more of the same or corresponding "special technical features." The expression "special technical features" is defined in the rules as those technical features that define a contribution which each of the inventions, as a whole, makes over the prior art.

The applicant respectfully submits that claim 7 and claim 21 are clearly linked so as to form a general inventive concept. Claim 7 is directed to a method for sequencing a polynucleotide by detecting the interaction between a helicase or primase and a target polynucleotide. Claim 21 is directed to a sensor chip having an immobilized helicase and/or primase, which is likewise useful for sequencing a polynucleotide. This is not disclosed in WO 99/05315, which only discloses a polymerase enzyme. Therefore, the applicant submits that

claims 7 and 21 are linked by a general inventive concept, and request that claims 7-21 be considered and examined together.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,



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